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Brian W. Hameder
Name

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DOCKET: CU-2691

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Stig WILLNER et al.) Group Art Unit: 3743
SERIAL NO:	10/009,860) Examiner: Azadeh Kokabi
FILED:	October 26, 2001) <u>EXPEDITED PROCEDURE</u>
TITLE:	ADJUSTABLE SPINAL BRACE) <u>AMENDMENT AFTER FINAL</u>

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THE COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

This is in response to the Office Action dated April 19, 2004 and having a shortened statutory period for reply set to expire on July 19, 2004. Applicants submit the following response in the above-identified application. Applicants believe this response the application in better condition for allowance.

In the Office Action, dated April 19, 2004, the Examiner states that Claims 1-14 are pending and Claims 1-14 are rejected.

Claims 1-14 are rejected under 35 U.S.C. §102(b) as being anticipated by Willner et al. (US 4,821,739). Claim 14 is rejected under 35 U.S.C. §103(a) as being unpatentable over Willner. The Applicants respectfully disagree with and traverse these rejections.

The rejections indicate that the straps 28 of Willner are considered to be equivalent to the iliac rolls claimed in the present application. However, the Applicants contend that the claimed iliac rolls are not similar to or equivalent to the straps 28.

The iliac rolls are rigid pieces which facilitate accurate repositioning of the brace. In use, the iliac rolls allow for a much easier reattachment of the brace on a user than if only straps are used. The iliac rolls, being rigid, allow for a tighter fixation force around the pelvis of a user without the problem of lateral compression of the pelvis, such as would be the case if flexible straps alone were tightened around the pelvis.

Since Willner does not disclose the use of rigid iliac rolls, and the straps of Willner do not function in the same way, and are not equivalent to the claimed iliac rolls, the Applicants consider that the rejections to the claims are overcome.

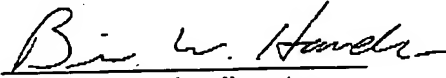
The Applicants' undersigned attorney attempted to contact the Examiner to schedule an interview to discuss the above-noted differences between the cited prior art and the claimed invention. However, it seems that Examiner Kokabi is no longer employed by the Patent Office. The undersigned attorney also unsuccessfully attempted to contact the Supervisory Examiner, Henry Bennett, whose voicemail mailbox was indicated as full each time the undersigned attorney called.

In the event that the present application is again rejected, the Applicants request that the Examiner contact the undersigned attorney to conduct an interview before an Advisory Action is issued.

In light of the foregoing response, all the outstanding objections and rejections have been overcome. Applicants respectfully submit that this application should now be in better condition for allowance and respectfully requests favorable consideration.

Respectfully submitted,

July 19, 2004
Date


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